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EFW

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BY:

Julie A. Eslick



**FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**PURSUANT TO 37 C.F.R. §§1.97-1.98**

PATENT APPLICATION

Applicant(s): Kei TASHIRO, et al.  
U.S. Serial No.: 10/089,776  
Group Art Unit: 1641  
TITLE: HIGH SENSITIVITY  
IMMUNOASSAY METHOD

Docket No.: 29288.5600  
U.S. Filing Date: June 21, 2002  
Confirmation No.: 2614  
Examiner: Shafiqul Haq

Mail Stop Amendment  
Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, the reference or references listed and identified on the attached PTO/SB08 based form are being submitted herewith for consideration by the Examiner. A copy of the listed references are enclosed.

The reference or references are being cited only in the interest of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in combination, to a person of ordinary skill in the art.

This Information Disclosure Statement (IDS) is being filed under 37 C.F.R. §1.97(b)(3) as each item of information contained in this disclosure is being filed prior to the issuance of a first Office Action on the merits, and therefore no fee or statement is required. The enclosed references are also being submitted under 37 C.F.R. §1.97(e)(1) as each reference cited herein

was first cited in communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. If Applicant has overlooked any fees, the Commissioner is hereby authorized to debit Deposit Account No. 19-2814 for the same. **A duplicate copy of this Information Disclosure Statement is enclosed for this purpose.**

If there are any questions concerning this IDS, the Examiner is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the United States Patent and Trademark Office is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 19-2814.

Respectfully submitted,

Date: 6/9/2005

By Michael K. Kelly  
Michael K. Kelly  
Reg. No. 32,848

Enclosures: PTO/SB08  
Patent copies

**SNELL & WILMER L.L.P.**  
One Arizona Center  
400 East Van Buren  
Phoenix, AZ 85004-0001  
P: (602) 382-6291  
F: (602) 382-6070

<p>Substitute for form 1449B/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(use as many sheets as necessary)</i></p>		<p><b>Complete if Known</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/089,776</td> </tr> <tr> <td>Filing Date</td> <td>June 21, 2002</td> </tr> <tr> <td>First Named Inventor</td> <td>Kei TASHIRO, et al.</td> </tr> <tr> <td>Art Unit</td> <td>1641</td> </tr> <tr> <td>Examiner Name</td> <td>Shafiqul Haq</td> </tr> <tr> <td>Attorney Docket Number</td> <td>29288.5600</td> </tr> </table>		Application Number	10/089,776	Filing Date	June 21, 2002	First Named Inventor	Kei TASHIRO, et al.	Art Unit	1641	Examiner Name	Shafiqul Haq	Attorney Docket Number	29288.5600
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Sheet	1	of	1												

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		"Macrophage-like RAW 264 cell line and time-resolved fluoroimmunoassay (TRFIA) as tools in screening drug effects on cytokine secretion", Pennanen, et al., Int. J. Immunopharmacol. 1995 June; 17(6); 475-80 (1 page)	
		"Preparation of europium-streptavidin in a time-resolved fluoroimmunoassay for interleukin-3", Knopf, et al., Journal of Immunological Methods, 138 (1991) 233-236 (4 pages)	
		"A novel and sensitive method for the detection of secreted cell products using time-resolved fluorescence", Ruedl, et al., Journal of Immunological Methods, 168 (1994) 61-67 (7 pages)	
		"A New Tetradentate B-Diketonate-Europium Chelate That Can Be Covalently Bound to Proteins for Time-Resolved Fluoroimmunoassay", Yuan, et al., Anal. Chem. 1998, 70, 596-601 (6 pages)	
		"Highly Sensitive Time-Resolved Fluoroimmunoassay of Human Immunoglobulin E by Using a New Europium Fluorescent Chelate as a Label", Yuan, et al., Analytical Biochemistry 254, 283-287 (1987), Article No. AB972444 (5 pages)	
		Copy of corresponding Korean Office Action dated April 11, 2005 (3 pages)	
		Copy of corresponding European Office Action dated March 15, 2005 (4 pages)	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.  
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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